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U.S. DISTRICT COURT
N.D. OF N.Y.

FILED
b
SEP 18 2009

LAWRENCE K. BAERMAN, CLERK
ALBANY

Re. Initial meet and confer letter in case no. 01:09 cv 990

Dear Defendants,

This is the first in a series of meet and confer letters in attempt to get a consensus as to a mutual discovery plan and a date for summary judgment motions to be heard.

The discovery that I wish to engage in will be limited to the use of interrogatories, and request for admissions. I do not anticipate deposing any defendant, due to the cost and the distance in conducting depositions of eight out-of-state defendants. My initial thought is to engage in 6 months of informal discovery prior to an agreed upon date for summary judgment motions to be heard. Note, this Plaintiff does not have any electronically stored information, all the relevant documents that Plaintiff is going to rely on has all ready been provided to the defendants, either before this complaint was filed, or upon the filing of this complaint.

Please excuse the fact that the Filing Order and the Civil Case Management Plan were not served contemporaneous with the complaint and other accompanying documents, the reason for the lack of contemporaneous service was due to the fact that I received the Filing Order and the Civil Case Management Plan from the clerks office on September 11th , and I served each defendant on September 9th.

I look forward to your input on in establishing mutual discovery dates in this matter.

Sincerely,

F. Bazadier

cc.

CHIEF JUSTICE JONATHAN LIPPMAN
C/O AGENT FOR SERVICE OF PROCESS
STATE OF NEW YORK COURT OF APPEALS
20 EAGLE STREET
ALBANY NY 12207-1095

HON. EUGENE F. PIGOTT JR.
C/O AGENT FOR SERVICE OF PROCESS
STATE OF NEW YORK COURT OF APPEALS
20 EAGLE STREET
ALBANY NY 12207-1095

HON. SUSAN P. READ
C/O AGENT FOR SERVICE OF PROCESS
STATE OF NEW YORK COURT OF APPEALS
20 EAGLE STREET
ALBANY NY 12207-1095

HON. THEODORE T. JONES
C/O AGENT FOR SERVICE OF PROCESS
STATE OF NEW YORK COURT OF APPEALS
20 EAGLE STREET
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HON. ROBERT S. SMITH
C/O AGENT FOR SERVICE OF PROCESS
STATE OF NEW YORK COURT OF APPEALS
20 EAGLE STREET
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HON. VICTORIA A. GRAFFEO
C/O AGENT FOR SERVICE OF PROCESS
STATE OF NEW YORK COURT OF APPEALS
20 EAGLE STREET
ALBANY NY 12207-1095

HON. CARMEN BEAUCHAMP CIPARICK
C/O AGENT FOR SERVICE OF PROCESS
STATE OF NEW YORK COURT OF APPEALS
20 EAGLE STREET
ALBANY NY 12207-1095

JOHN J.McALARY
C/O AGENT FOR SERVICES OF PROCESS
CORPORATE PLAZA-BUILDING 3
254 WASHINGTON AVENUE EXTENSION
ALBANY, NY 12203-5195

JAMES T. FOLEY - U.S. DISTRICT COURT HOUSE
C/O CIVIL FILING CLERK
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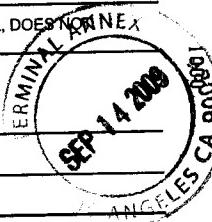
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